

Remarks

In the Office Action mailed February 12, 2004, the Examiner rejected claims 1, 2, 7, 10-12, and 14 under 35 U.S.C. § 102(b) as being anticipated by PCT Patent Publication No. WO 00/04730 (Hose), the Examiner rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Hose in view of U.S. Patent Publication No. 2002/0107029 (Caughran et al.), the Examiner rejected claims 4, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Hose in view of U.S. Patent Publication No. 2003/0060211 (Chern et al.), the Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Hose and Chern as applied to claim 4, and further in view of U.S. Patent No. 6,233,448 (Alperovich et al.), and the Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Hose as applied to claim 1, and further in view of Chern and Caughran. Further, the Examiner objected to claim 9 as being dependent upon a rejected base claim, but noted that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

1. Response to § 102(b) Rejection of Claim 1

The Examiner rejected claim 1 as being anticipated by Hose. By way of this response and amendment, Applicants have cancelled rejected claim 1. As a result, the rejection of this claim is now moot.

2. Response to § 103(a) Rejection of Claim 4

The Examiner next rejected claim 4 as being obvious over a combination of Hose and Chern et al. Applicants traverse this rejection, because the combination of Hose and Chern et al. fails to disclose or suggest all of the limitations of currently amended claim 4. M.P.E.P. § 2143.

In particular, the combination of Hose and Chern et al. fails to teach the claimed function of instructing a cellular wireless system to determine the position of a mobile station at a level of granularity associated with a service identifier.

Notice that claim 4 recites "based on the service identifier, instructing the cellular wireless system to determine the position of the mobile station at the associated level of granularity." As explained in the specification as filed, if the service identifier is associated with a low level of granularity, the location of the mobile station may only need to be determined to the cell level, for instance. In contrast, if the service identifier is associated with a high level of granularity, the location of the mobile station may need to be determined within the cell (e.g. within 1 block). (See pages 10-12 of the specification.)

The combination of Hose and Chern et al. fails to teach instructing a cellular wireless system to determine the position of a mobile station at a level of granularity associated with a service identifier. At best, Chern et al. teaches that after the location of a mobile station has been determined, a location-based information request can be limited using parameter limits or filters to return only a refined set of information. Chern et al., however, does not teach that the accuracy (i.e., level of granularity) with which a cellular wireless system might locate a mobile station can vary based on the level of granularity. In fact, the parameter limits or filters that Chern et al. teaches could only be used after the cellular wireless system has located a mobile station. Chern et al. thus fails to teach instructing a cellular wireless system to determine the position of a mobile station at a level of granularity associated with a service identifier. Further, Hose fails to make up for this deficiency of Chern et al.

Because the combination of Hose and Chern et al. fails to disclose or suggest all of the elements of claim 4, Applicants submit that a *prima facie* case of obviousness of claim 4 does

not exist. As a result, dependent claims 5 and 6 are also allowable. Additionally, dependent claims 2-3, 7-8, and 10-11 have been amended to depend from claim 4, and new claim 15 also depends from claim 4. As a result, these claims are also allowable.

3. **Response to § 102(b) Rejection of Claims 2, 7, 10-11, and 14**

By way of this response and amendment, Applicants have amended claims 2, 7, 10-11, and 14 to depend from currently amended independent claim 4. As a result, applicants submit that Hose does not disclose or suggest the entirety of the invention as recited in these claims. M.P.E.P. § 2131.

4. **Response to § 102(b) Rejection of Claim 12**

Currently amended independent claim 12 includes limitations similar to those of claim 4. Thus, for the same reasons given above, Hose does not disclose or suggest all of the elements of currently amended claim 12. Therefore, Applicants submit that Hose does not disclose or suggest the entirety of the invention as recited in claim 12. M.P.E.P. § 2131.

5. **Response to § 103(a) Rejection of Claim 13**

Currently amended independent claim 13 includes limitations similar to those of claim 4. Additionally, Caughran et al. fails to make up for the deficiencies of Hose and Chern et al. Thus, for the same reasons given above, neither Hose, Chern et al., nor Caughran et al., alone or in combination, disclose or suggest all of the elements of claim 13. Therefore, Applicants submit that a *prima facie* case of obviousness of claim 13 does not exist. As a result, dependent claim 14 is also allowable.

6. **Response to Objection to Claim 9**

By way of this response and amendment, Applicants have amended claim 9 to include all the limitations of its base claim and any intervening claims. Therefore, claim 9 is now in condition for allowance.

7. **Conclusion**

In view of the foregoing, Applicants submits that claims 2-15 are in condition for allowance, and Applicants therefore respectfully request favorable reconsideration of these claims.

Respectfully submitted,

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